



**Service of Process
Transmittal**

08/03/2018

CT Log Number 533814915

TO: Marybeth Rekowski
Sentry Insurance
1800 Northpoint Dr
Stevens Point, WI 54481-1283

RE: Process Served in Georgia

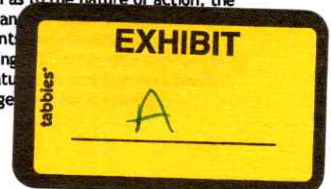
FOR: Sentry Select Insurance Company (Domestic State: WI)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: James DeFrancesco, Pltf. vs. Sentry Select Insurance Company, Dft.
DOCUMENT(S) SERVED: Entry, Summons, Complaint, Attachment(s)
COURT/AGENCY: Gwinnett County State Court, GA
Case # 18C057272
NATURE OF ACTION: Insurance Litigation
ON WHOM PROCESS WAS SERVED: C T Corporation System, Lawrenceville, GA
DATE AND HOUR OF SERVICE: By Process Server on 08/03/2018 at 09:41
JURISDICTION SERVED : Georgia
APPEARANCE OR ANSWER DUE: Within 30 days after service, exclusive of the day of service
ATTORNEY(S) / SENDER(S): David E. Tuszynsk
Garland, Samuel & Loeb, P.C.
3151 Maple Dr., N.E.
Atlanta, GA 30305
404-262-2225
ACTION ITEMS: CT has retained the current log, Retain Date: 08/04/2018, Expected Purge Date:
08/09/2018
Image SOP
Email Notification, Michelle Gear michelle.gear@sentry.com
Email Notification, Marybeth Rekowski marybeth.rekowski@sentry.com
Email Notification, Danielle Thomason danielle.thomason@sentry.com
SIGNED: C T Corporation System
ADDRESS: 289 S Culver St.
Lawrenceville, GA 30046-4805
TELEPHONE: 214-932-3601

Page 1 of 1 / SM

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the amount of costs, or the responsibility for interpreting the document for appropriate action. Signatures are required to confirm receipt of package.



Print Form

SHERIFF'S ENTRY OF SERVICE GWINNETT STATE COURT

Civil Action No. 106 UJ 112Superior Court ☐Magistrate Court ☐State Court ☒Probate Court ☐Juvenile Court ☐Date Filed 8/1/18Georgia, GWINNETT COUNTY

Attorney's Address

David E. Tuszynski, Esq.GARLAND, SAMUEL & LOEB, P.C.3151 Maple Drive Atlanta, GA 30305James DeFrancesco,

Plaintiff

VS.

Name and Address of Party to Served

Sentry Select Insurance Company c/o Reg. AgentC.T. Corporation System289 South Culver Street Lawrenceville, GA30046Sentry Select Insurance Company,

Defendant

Garnishee

SHERIFF'S ENTRY OF SERVICE

PERSONAL

- ☐ I have this day served the defendant _____ personally with a copy of the within action and summons.

NOTORIOUS

I have this day served the defendant _____ by leaving a copy of the action and summons at his most notorious place abode in this County.

- ☐ Delivered same into hands of _____ described as follows: age, about _____ years; weight _____ pounds; height _____ feet and _____ inches, domiciled at the residence of defendant.

CORPORATION

Served the defendant _____ a corporation

- ☐ by leaving a copy of the within action and summons with _____ In charge of the office and place of doing business of said Corporation in this County.

TACK & MAIL

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

NON EST

- ☐ Diligent search made and defendant _____ not to be found in the jurisdiction of this Court.

This _____ day of _____, 20____.

DEPUTY

CLERK'S COPY

IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

James DeFrancesco

CIVIL ACTION
NUMBER: **18c 05727 2**

PLAINTIFF

VS.

Sentry Select Insurance Company

[Registered Agent: CT Corporation System,

289 S. Culver St., Lawrenceville, GA 30046]

DEFENDANT

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

David E. Tuszynski, Esq.
Garland, Samuel & Loeb, P.C.
3151 Maple Dr., N.E.
Atlanta, GA 30305

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 1st day of August, 20 18.

Richard T. Alexander, Jr.,
Clerk of State Court

By [Signature]
Deputy Clerk

INSTRUCTIONS: Attach addendum sheet for additional parties if needed, make notation on this sheet if addendum sheet is used.

FILED IN OFFICE
CLERK STATE COURT
GWINNETT COUNTY, GA

IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA

2018 AUG -1 PM 12: 06

RICHARD ALEXANDER, CLERK

James DeFrancesco
Plaintiff,

vs.

Sentry Select Insurance Company
Defendant.

Civil Action File No.:

JURY TRIAL REQUESTED

18C 05727 ?

COMPLAINT

COMES NOW James DeFrancesco, Plaintiff, by and through his undersigned attorneys,
and states his complaint as follows:

1. Defendant Sentry Select Insurance Company ("Sentry") is a foreign corporation registered to business in Georgia.
2. Defendant Sentry maintains a registered agent and registered office in Gwinnett County, Georgia.
3. Defendant Sentry may be served by service on its registered agent at its registered office:
CT Corporation System, 289 South Culver Street, Lawrenceville, Gwinnett County, Georgia 30046.
4. On March 13, 2017, Defendant Sentry was the insurer of Greenwood Farms Trucking, LLC ("Greenwood Farms").
5. Defendant Sentry is subject to the jurisdiction and venue of this court under the provisions of O.C.G.A. § 40-2-140(d).
6. On March 13, 2017, a tractor-trailer rig operated by Greenwood Farms and being driven by John Stephens hit a truck operated by Plaintiff James DeFrancesco while the truck was

parked at the Flying J Travel Center at 288 Resaca Beach Boulevard, Resaca, Gordon County, Georgia.

7. The Greenwood Farms tractor trailer rig attempted to flee the scene of the collision.
8. Plaintiff James DeFrancesco tried to prevent the Greenwood Farms rig from fleeing the scene of the collision and, in the process, Mr. DeFrancesco was injured by the Greenwood Farms rig.
9. At the time of the March 13, 2017 incident, Defendant Sentry provided liability insurance for the Greenwood Farms rig and the rig's driver, John Stephens.
10. In the March 13, 2017 incident, the driver of the Greenwood Farms rig was negligent in his driving and operation of the rig.
11. At the time of the March 13, 2017 incident, the driver of the Greenwood Farms rig was an employee or agent of Greenwood Farms, and he was acting within the course and scope of his employment or agency with Greenwood Farms.
12. As a direct and proximate result of the negligence of the driver of the Greenwood Farms rig, James DeFrancesco has suffered bodily injury; incurred medical and other healthcare expenses; experienced a loss of income; experienced down time; and, endured pain and suffering; any and all of which may continue into the future.
13. The conduct of the driver of the Greenwood Farms rig exhibited willful misconduct, malice, fraud, wantonness, oppression or that entire want of care which would raise the presumption of conscious indifference to consequences such that punitive damages are warranted.
14. At the time and place of the March 13, 2017 incident, Defendant Sentry insured the Greenwood Farms rig in accordance with O.C.G.A. § 40-2-140(d).

WHEREFORE, Plaintiff, James DeFrancesco, prays that this Court grant the following relief:

- a. Process issue and service of process be made;
- b. Trial by jury;
- c. Recovery from the Defendant of all general damages, special damages and punitive damages as allowed by law and evidence, in an amount as will fully and fairly compensate Plaintiff; and
- d. Such other relief as deemed equitable and appropriate.

GARLAND, SAMUEL & LOEB, P.C.

BY: David E. Tuszyński /s/ *DT*
DAVID E. TUSZYŃSKI
Georgia Bar No. 720287
Attorney for Plaintiff

3151 Maple Drive, NE
Atlanta, Georgia 30305
Phone (404) 262-2225
Fax (404) 365-5041

General Civil and Domestic Relations Case Filing Information Form☐ Superior or ☒ State Court of GWINNETT County

For Clerk Use Only

Date Filed _____
MM-DD-YYYY

Case Number _____

Plaintiff(s)DEFRANCESCO, JAMES

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Plaintiff's Attorney DAVID E. TUSZYNSKI**Defendant(s)**SENTRY SELECT INSURANCE COMPANY

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Bar Number 720287 Self-Represented ☐**Check One Case Type in One Box****General Civil Cases**

- ☒ Automobile Tort
☐ Civil Appeal
☐ Contract
☐ Garnishment
☐ General Tort
☐ Habeas Corpus
☐ Injunction/Mandamus/Other Writ
☐ Landlord/Tenant
☐ Medical Malpractice Tort
☐ Product Liability Tort
☐ Real Property
☐ Restraining Petition
☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
☐ Dissolution/Divorce/Separate Maintenance
☐ Family Violence Petition
☐ Paternity/Legitimation
☐ Support - IV-D
☐ Support - Private (non-IV-D)
☐ Other Domestic Relations

Post-Judgment - Check One Case Type

- ☐ Contempt
☐ Non-payment of child support, medical support, or alimony
☐ Modification
☐ Other/Administrative

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number _____

Case Number _____

- ☐ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is an interpreter needed in this case? If so, provide the language(s) required. _____
Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.